

**ADMINISTRATIVE PROCEEDING
BEFORE THE
SECURITIES COMMISSIONER OF SOUTH CAROLINA**

IN THE MATTER OF:

**Financial West Group, Inc.,
CRD No. 16668,**

Respondent.

**SUSPENSION OF BROKER-DEALER
REGISTRATION**

Matter No. 20185259

WHEREAS, the Securities Commissioner of South Carolina (the “Securities Commissioner”) has authorized and directed the Securities Division of the Office of the Attorney General of the State of South Carolina (the “Securities Division”) to administer the provisions of S.C. Code Ann. § 35-1-101, *et seq.*, the South Carolina Uniform Securities Act of 2005 (the “Act”); and

WHEREAS, the Division received information regarding alleged securities-related activities of Financial West Group, Inc., CRD No. 16668 (“Financial West” or “Respondent”); and

WHEREAS, based on the information received, the Division decided it was necessary and appropriate to open an investigation pursuant to S.C. Code Ann. § 35-1-602 to determine whether the Respondent had violated, was violating, or was about to violate the Act; and

WHEREAS, in connection with the investigation, the Division has determined that evidence exists to support the following findings of fact and conclusions of law:

I. JURISDICTION

1. The Securities Commissioner has jurisdiction over this matter pursuant to S.C. Code Ann. § 35-1-601(a).

II. RESPONDENT

2. Financial West is a broker-dealer registered with the Division with a home office address of 1330 Lander Street, Reno, Nevada 89509.

III. FINDINGS OF FACT

3. Financial West has been registered with the Division as a broker-dealer since February of 1995.

4. The Financial Industry Regulatory Authority (“FINRA”) is a self-regulatory organization. Beginning in March of 1986 and continuing until on or about August 17, 2018, the Respondent was a member of FINRA. On or about August 17, 2018, FINRA suspended Financial West from membership.

5. This suspension was the result of Financial West’s failure to pay outstanding fees.

6. At least twenty-one (21) days prior to the issuance of Financial West’s suspension, FINRA notified Financial West of its failure to pay outstanding fees, FINRA’s intended action if such fees were not paid, and the procedures to follow should Respondent desire a hearing on the matter.

7. Following FINRA’s notice above (the “Notice of Suspension Letter”), Financial West was suspended from membership in FINRA. Further, upon information and belief, Financial West still has not met its financial obligation regarding the outstanding fees.

8. It is in the public interest, for the protection of investors, and consistent with the purposes fairly intended by the policy and provisions of the South Carolina Uniform Securities Act, S.C. Code Ann. § 35-1-101, *et seq.*, not to allow a broker-dealer who (1) fails to comply with the requirements of a self-regulatory association of which it was until recently a member or (2) fails to pay financial obligations as they come due, to be permitted to conduct business in this State.

IV. CONCLUSIONS OF LAW

9. The South Carolina Uniform Securities Act of 2005, S.C. Code Ann. § 35-1-101, *et seq.*, governs the offer and sale of securities in this State.

10. Pursuant to S.C. Code Ann. § 35-1-412(b), the Securities Commissioner may issue an order revoking, suspending, or limiting the registration of a registrant, if the Commissioner finds that the order is in the public interest and subsection (d) of S.C. Code Ann. § 35-1-412 authorizes the action.

11. Pursuant to S.C. Code Ann. § 35-1-412(d)(5)(C), the Securities Commissioner may issue an order suspending a registrant, which is the subject of an order issued after notice

and opportunity for hearing by a self-regulatory organization, suspending the registrant from membership in the self-regulatory organization.

12. On the facts above, it is necessary and appropriate, in the public interest, for the protection of investors, and consistent with the purposes fairly intended by the policy and provisions of the South Carolina Uniform Securities Act, S.C. Code Ann. § 35-1-101, *et seq.*, to suspend the Respondent's registration in this State as a broker-dealer.

V. ORDER

NOW THEREFORE, pursuant to S.C. Code Ann. § 35-1-412(b), it is hereby **ORDERED** that the Respondent's registration with the Division as a broker-dealer is **SUSPENDED**.

IT IS FURTHER ORDERED that the Respondent's failure to file a written answer, including any request for a hearing, within thirty (30) days from the date of this Order, shall be deemed a waiver by the Respondent of the right to a hearing and shall result in this Order becoming final as to the Respondent by operation of law.

VI. NOTICE OF OPPORTUNITY FOR HEARING

The Respondent is hereby notified that it has the right to a hearing on the matters contained herein. To schedule such a hearing, the Respondent must file with the Securities Division, Post Office Box 11549, Rembert C. Dennis Building, Columbia, South Carolina, 29211-1549, attention: Wanda Ealy, within thirty (30) days after the date of service of this Order, a written Answer specifically requesting a hearing. If the Respondent requests a hearing, the Division, within fifteen (15) days after receipt of a request in a record from the Respondent, will schedule a hearing for the Respondent.

In its written Answer, the Respondent, in addition to requesting a hearing, shall admit or deny each factual allegation in this Order, shall set forth specific facts on which the Respondent relies, and shall set forth concisely the matters of law and affirmative defenses upon which the Respondent relies. If Respondent is without knowledge or information sufficient to form a belief as to the truth of an allegation, it shall so state.

Failure by the Respondent to file a written request for a hearing in this matter within the thirty-day (30) period stated above shall be deemed a waiver by the Respondent of the right to such a hearing. Failure of the Respondent to file an Answer, including a request for a hearing, shall result in this Order becoming final as to the Respondent by operation of law.

This Order does not prevent the Division, or any other agency, including, without limitation, civil and criminal law enforcement agencies, from seeking additional civil or criminal remedies that are available under the Act, including remedies related to the conduct set forth above.

ENTERED, this the 19th day of September, 2018.

ALAN WILSON
SECURITIES COMMISSIONER

By: 
TRACY A. MEYERS
Deputy Securities Commissioner